

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/726,313	726,313 12/02/2003		Ivan V. Mendenhall	AAI-14304	3115
45483	7590	12/22/2005		EXAMINER	
AUTOLIV			GELLNER, JEFFREY L		
Attn: Sally J. Brown ESQ 3350 Airport Rd				ART UNIT	PAPER NUMBER
OGDEN, UT 84405			3643		
				DATE MAILED: 12/22/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)						
Office Action Commons	10/726,313	MENDENHALL ET AL.						
Office Action Summary	Examiner	Art Unit						
	Jeffrey L. Gellner	3643						
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address						
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DATE - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period was reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE							
Status								
1) Responsive to communication(s) filed on 14 O	ctober 2005.							
·								
3) Since this application is in condition for allowar	, _							
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims								
4)⊠ Claim(s) <u>1-29</u> is/are pending in the application.								
4a) Of the above claim(s) is/are withdrawn from consideration.								
5) Claim(s) is/are allowed.								
6) Claim(s) is/are rejected.								
7) Claim(s) is/are objected to.								
8) Claim(s) 1-29 are subject to restriction and/or	election requirement.							
Application Papers								
9) The specification is objected to by the Examiner.								
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.								
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).								
11) The oath or declaration is objected to by the Ex	caminer. Note the attached Office	Action or form PTO-152.						
Priority under 35 U.S.C. § 119								
12) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) ☐ All b) ☐ Some * c) ☐ None of:								
 Certified copies of the priority document 								
Certified copies of the priority document	s have been received in Applicat	ion No						
Copies of the certified copies of the prio	rity documents have been receive	ed in this National Stage						
application from the International Burea	•							
* See the attached detailed Office action for a list of the certified copies not received.								
Attachment(s)								
1) Notice of References Cited (PTO-892)	4) Interview Summary							
 Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 	Paper No(s)/Mail D 5) Notice of Informal F 6) Other:	ate Patent Application (PTO-152)						

Art Unit: 3643

DETAILED ACTION

Acknowledgement is made of Applicants' election in the Response received 14 October 2005 of hydroxypropyl cellulose, aminoguanidine bicarbonate, alloy of aluminum and magnesium, potassium nitrate, and surface of a gas generant material.

However, for the single associated inflator apparatus surface, Applicant elected: surface of a gas generant material. This election does not appear consonant with the species listed in claim 14. Examiner requests Applicant elect one of the species listed in claim 14 for prosecution to eliminate any ambiguity. Also, upon further review of the language of the claims a further restriction/election is required. Examiner regrets any inconvenience to Applicant.

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species A: gas generant material for use in an automotive safety restraint

Species B: hybrid gas storage container for use in an automotive safety restraint

Species C: damper pad for use in an automotive safety restraint

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for claim 14 and the above listed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, as to claims 14-17 claims 1-13 and 18-29 appear generic and/or have covered by the prior election requirement.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey L. Gellner whose telephone number is 571.272.6897. The examiner can normally be reached on Monday-Friday, 8:30-4:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on 571.272.6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/726,313

App 1 M/

Art Unit: 3643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeffrey L. Gellner Primary Examiner Page 4